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New York

President: Mr. Lajčák ..... (Slovakia)

In the absence of the President, Mr. Llorentty Soliz (Plurinational State of Bolivia), Vice-President, took the Chair.

The meeting was called to order at 3 p.m.

Agenda item 132 (*continued*)

The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity

Report of the Secretary-General (A/72/884)

Mr. Heusgen (Germany): For Germany, the responsibility to protect is of special importance. It is a priority for us and I am therefore very pleased that we have the opportunity to speak first this afternoon. I would like to thank the President of the General Assembly for convening today's debate, and to pay tribute to Australia and Ghana, which have been the driving force behind this topic and putting it on our agenda. I would also like to thank the Secretary-General for his report (A/72/884) and for his inspiring speech this morning (see A/72/PV.99). Much has been said about the responsibility to protect, and I will therefore be brief and make just six short points.

I would first like to align myself with the statements made this morning by the observer of the European Union and by the representative of Qatar (see A/72/PV.99), who spoke on behalf of the Group of Friends of the Responsibility to Protect, of which we are a member.

Secondly, many of this morning's speakers discussed conflict prevention, and I listened very carefully, for instance, to the former President of Kiribati, who highlighted the issue (see A/72/PV.99). I think that it is key to the debate on the responsibility to protect. In other words, we must ensure that we go from early warning to early action. For Germany that is a key aspect of the responsibility to protect, and we have therefore been prioritizing it at the United Nations. We also believe that the Security Council should feature conflict prevention on its agenda far more often than it does, and when Germany assumes its seat on the Council, starting on 1 January 2019, we will have conflict prevention on our agenda too.

Thirdly, within the family of the United Nations, the offices that deal with conflict prevention must assume a more important role, and we have to pay more attention to this. For us, the United Nations Office on Genocide Prevention and the Responsibility to Protect is key in that regard, but in the broader sense of conflict prevention so are the Peacebuilding Commission, the Peacebuilding Support Office and the Peacebuilding Fund. All these institutions are crucial to promoting conflict prevention and deserve our support. In that context, I would also like to highlight and once again commend the President of the Assembly, who has put conflict prevention and, in particular, sustaining peace — where conflict prevention plays a very important role — on the agenda during this session. That has been one of the most important efforts of his presidency.

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Many speakers have emphasized my fourth point, which is that the primary responsibility for the responsibility to protect lies with Member States. In his statement this morning, the Secretary-General said that the principle's first pillar refers to the primary responsibility of States to protect all populations within their territory from atrocity crimes. If a country is to assume that responsibility, it must build resilience — resilience against violations of human rights and against mass atrocities and ethnic cleansing. In that regard, I would like to cite my colleague from Ghana, one of the founding members of the Group of Friends of the Responsibility to Protect, who insisted that in order to build resilience we need functional institutions of good governance at all levels (see A/72/PV.99). That includes a robust human rights regime, inclusiveness and respect for diversity and the rule of law, with a strong judiciary.

Fifthly, to return to inclusiveness, for that, civil society must play a strong role. It has the closest links to the people. The members of civil society know what is happening in their country and they may also be in a position to give the earliest indications when something is going wrong. To refer once again to my colleague from Ghana, she said that collaboration with civil society as a strategic partner in the implementation of the responsibility to protect is very important to her country. I therefore think that the debates that we are having on the responsibility to protect here at the United Nations would also benefit from the inclusion of representatives of civil society, if possible, and I would like to make a general appeal to that effect to the Secretary-General, as well as to all the various agencies and offices. This week we are holding a high-level conference of heads of counter-terrorism agencies on 28 June, but unfortunately here at the United Nations civil-society organizations were excluded from that discussion.

With regard to my last point, which is about accountability, if we are to prevent mass atrocities, mechanisms for accountability must be in place. We have to ensure that we establish an environment in which no one who commits a crime against humanity or mass atrocities can even think about going free. Such people must feel that they will have to constantly be looking over their shoulders for the rest of their lives, and they must fear being caught. I would therefore like to take this opportunity to plead for support and cooperation with the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. If prevention fails in Syria or Myanmar, as we have seen, we need accountability.

I thank the President of the General Assembly once again for putting this item on the agenda.

Ms. Núñez Rivas (Uruguay) (*spoke in Spanish*): At the outset, I would like to thank the Secretary-General for his statement (see A/72/PV.99) on an issue that is so important to the international community. I would also like to express my country's appreciation for the leadership role that Australia and Ghana have undertaken, which has proved invaluable in incorporating the responsibility to protect into this session of the General Assembly, and to say that we hope to see the issue become a permanent item on its agenda.

My delegation aligns itself with the statement made by the representative of Qatar on behalf of the Group of Friends for the Responsibility to Protect (see A/72/PV.99), and I would also like to make some comments on issues of importance for us.

Uruguay once again affirms its firm commitment to the responsibility to protect. In that regard, we want to highlight its first and second pillars, on prevention, in the understanding that force should only ever be used as a last resort and should always comply with all the assurances enshrined in the Charter of the United Nations, including the express consent of the Security Council. We therefore advocate a preventive, comprehensive and holistic approach and welcome the Secretary-General's most recent report, entitled "The responsibility to protect: from early warning to early action" (A/72/884), in which he stresses that the effective prevention of atrocity crimes must be placed in a broader context of the international community's efforts to prevent crises and suffering.

States are primarily responsible for protecting their peoples and for ensuring that human rights are respected within their borders. They must also ensure that the perpetrators of such heinous crimes are investigated, held accountable and prosecuted. Accountability is important not only in combating impunity and injustice but also in functioning as a deterrent. In that belief, Uruguay was the first country in Latin America to fully implement the Rome Statute of the International

Criminal Court in its domestic legislation and therefore appeals to all States that have not yet done so to become party to the Statute and cooperate fully with the Court. I would also like to underscore that the prevention of atrocities is most effective when national, regional and global actors work in a coordinated and cooperative manner. Uruguay is a member of the Group of Friends of the Responsibility to Protect and is part of the Global Network of R2P Focal Points, as well as the Latin American Network for Genocide and Mass Atrocity Prevention. These initiatives strengthen national and regional preventive capacities and help us to foster confidence-building among States.

I should also highlight the importance of international, regional and subregional organizations in conflict prevention, in addition to the role of peacekeeping operations as an effective tool in preventing atrocity crimes. Peacekeeping operations help to prevent or mitigate abuses by States or rebel groups and are effective early-warning instruments for possible violations of human rights and other crimes. As a troop-contributing country, Uruguay adheres to the Kigali Principles on the Protection of Civilians and therefore supports the importance of conducting predeployment training programmes on the effective protection of civilians so that contingents are properly equipped before being deployed in the field.

It is especially important to ensure that the Security Council, which according to the Charter bears the primary responsibility for maintaining international peace and security, spares no effort and provides effective measures to protect the civilian population, including by referring cases to the International Criminal Court when appropriate. As a member of the Accountability, Coherence and Transparency group, Uruguay supports its code of conduct for Council resolutions relating to the protection of populations against genocide, war crimes, ethnic cleansing and crimes against humanity, and we urge States that have not yet done so to join that initiative. We also support France and Mexico's proposed political declaration on the suspension of the veto powers of the permanent members of the Security Council in cases of mass atrocity.

In conclusion, the effective implementation of the responsibility to protect requires a complementary approach, including concerted action among States, cooperation with the Security Council, the Human Rights Council, the International Criminal Court and the various United Nations agencies and collaboration with global and regional organizations, as well as civil society. I would like to take this opportunity to thank the Global Centre for the Responsibility to Protect and the other non-governmental organizations that work valiantly to ensure that the principles of the responsibility to protect and the protection of human rights are implemented.

The reality of the twenty-first century has shown us a world convulsed by violations of the most basic human rights perpetrated by both armed groups and States. These are crimes that are carried out in total contempt for human life. Only concerted efforts on the part of all actors can enable us to continue strengthening the consensus on the responsibility to protect and bring relief to the millions of innocent human beings who are suffering.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): My country's delegation has considered the Secretary-General's report contained in document A/72/884. We reaffirm that no Member State can reject or contest in principle some of the report's contents about the basic responsibility of States to protect their citizens, and about promoting the systems related to early warning and early action aimed at preventing genocide, war crimes, ethnic cleansing and crimes against humanity. However, there are reasons for concern that have been expressed by several Member States, specifically about the fact that some Member States, in coordination with members of the Secretariat, have taken an unprofessional and exclusionary approach in order to exploit the responsibility to protect and politicize it in a way that makes it subject to controversy in the work of the United Nations.

We are not here today to make a political statement or teach anyone a lesson, but we intend to speak transparently and clearly about the realities, events, disastrous consequences and grave crimes that the Governments of certain States have perpetrated, violating principles of international law and unilaterally exploiting the concept of the responsibility to protect without a United Nations mandate and so as to interfere in the affairs of some States, selectively and unjustifiably.

As a founding and responsible member of this Organization, the Syrian Arab Republic would like to remind all Member States that one of the reports of former Secretary-General Ban Ki-moon clearly mentioned the serious concerns raised by the issue

of some Governments' misuse of the concept of the responsibility to protect and their application of it to a particular State. Needless to say, for the past eight years that State, which is a member of our international Organization, has been enduring a disastrous situation. As a result, we have seen destruction, chaos and the deaths of thousands of its innocent citizens thanks to military operations and aerial bombardments by the armies of Governments that claim to be applying the concept of the responsibility to protect by perpetrating acts of murder, destruction and looting. Need we also add that this same State has been enduring a terrifying situation involving terrorism, fighting and struggles for power. Tens of thousands of its citizens, as well as the citizens of States in Africa, have lost their lives in their attempt to escape the scourge of war, drowning in the Mediterranean Sea. What kind of responsibility to protect is it when thousands are killed, States are destroyed and their peoples displaced under its pretext?

The preparers of the Secretary-General's latest report insist on flagrantly ignoring the fact that the criteria and assurances that Member States apply in implementing the concept of the responsibility to protect differ greatly. They also ignore the objective criticisms that many Member States have made about the lack of assurances and restrictions that can ensure that the responsibility to protect is not used as a justification for violating States' sovereignty and interfering in their internal affairs, which, as we all know, have occurred in numerous places.

The Secretariat and some Member States are still trying to use the 2005 World Summit Outcome document to create a fictional legal basis for the responsibility to protect. In that regard, my country and many other Member States believe that paragraphs 138 and 139 of resolution 60/1 do not establish the responsibility to protect as a principle. Rather, they underscore basic and inherent principles behind the purposes of the United Nations relating to the maintenance of international peace and security, the resolve to save succeeding generations from the scourge of war, to have faith in fundamental human rights and the dignity of human beings, to promote social progress and better standards of life in larger freedom, and above all to respect the sovereignty of States and refrain from interfering in their internal affairs. What does all of this mean? It means that the purposes and principles of the United Nations Charter are above the concept of the responsibility to protect, especially since the concept itself is a controversial one and has not yet been adopted as such by Member States.

Syria, together with many other Member States, calls on the Secretariat and the Governments of States that are striving to establish this principle as a standing item on the General Assembly agenda to show courage and admit that Member States differ substantially on this concept. They must have a transparent discussion of the genuine sources of concerns about it and admit that the United Nations has been unable to undertake its real responsibility to protect the Palestinian people from the Israeli occupation and its supporters. They must recognize that the United Nations has shown itself unable to implement an early-warning system for protecting Iraqis and Syrians from the acts of Da'esh, the Al-Nusra Front and other terrorist organizations. They must acknowledge that the United Nations has failed to create international systems for early alerts and cooperation in order to confront the aspect of international terrorism known as foreign terrorist fighters, which some Governments and intelligence services have helped to create.

They must also recognize that the United Nations has been unable to undertake its responsibility to protect by addressing the crimes of the illegitimate United States-led international coalition against the Syrian people. According to United Nations reports, those crimes have destroyed the cities of Raqqa and Ayn Al-Arab. They have killed thousands of civilians in Syria and they say that all of that is collateral damage — that destroying cities, killing thousands and looting monuments are collateral damage. Infrastructure, bridges and electric and hydro-power plants have all been destroyed as a result of collateral damage on the pretext of fighting terrorism. When the Secretariat and the Governments of the States that promote the responsibility to protect in this exclusionary and selective way admit that these consequences are part of a failure on the part of the United Nations to respect and implement every one of the principles and provisions of the Charter, without exception, then we in Syria, along with many other Member States that stand ready to respect the principles of freedom, justice and equality in word and deed, are ready to sit down with them at one table and discuss the concept of the responsibility to protect in a transparent way.

At that point, we will be willing to discuss the issue of including this concept on the General Assembly agenda and to reach a consensus on the concept itself, as

well as on its content and the assurances that can ensure that it is not used for political objectives that run counter to the principles and purposes of the United Nations and its Charter. Without that, we would be dealing with a bad situation marked by the political hypocrisy and immorality that have undermined the credibility of this international Organization ever since the invasion of Iraq. We would also be dealing with parties that are unwilling to defend human rights anywhere in the world, because they are using humanitarian issues to justify their intrusions into the affairs of other States and disguise their military aggressions against them as legitimate actions.

Speaking of political hypocrisy and immorality, and in response to certain delegations regarding the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, I would say that we cannot separate legal responsibility and moral principles, since otherwise they would be characterized as hypocritical. I would also say that anything built on falsehood is false. In that regard, I would like to remind the Assembly that this illegal Mechanism was based on General Assembly resolution 71/248, which was not adopted by consensus and was the outcome of an illegal operation and procedure in which the Assembly went beyond its mandate. The resolution blatantly infringes on the purview and mandates of the Security Council, as outlined in Article 12 of the Charter, and the General Assembly has therefore created an illegal mechanism and granted it investigative powers that it does not itself possess.

My delegation and some other Member States have sent several letters to the Secretary-General and to representatives of the Member States in which we have proved beyond any discussion or doubt that this Mechanism is illegal. It was born dead and will stay that way.

I would ask my colleagues to always remember that the Government behind this illegitimate Mechanism is the Government of a country — I am not using the word "regime", because it would be shameful for a diplomat to use that under the dome of the United Nations, the dome of international legitimacy — whose previous Prime Minister declared publicly that the ruling family in his country supports and finances the Al-Nusra Front, which is classified as a terrorist organization by the Security Council. The Government of another country also launders money through illegal operations carried out by its financial institutions, selling oil and gas and then financing armed terrorist groups in my country, Syria.

Given all of this, do member States think that supporting this Mechanism can be considered a moral action? Some members here in this Hall should be their own judges with regard to the use of double standards and selectivity. There is no need to remind them that they are failing to fight terrorism and are deliberately turning a blind eye to the flow of thousands of foreign terrorist fighters to Syria.

In conclusion, I want to remind the Assembly that for an entire year the Security Council was unable to include a terrorist entity called Hay'at Tahrir Al-Sham — the Organization for the Liberation of the Levant — on the list of terrorist organizations. Why? Because the United States delegation was against that. On the sidelines of a review of the United Nations counter-terrorism strategy, during the informal meetings that took place a few days ago, that same delegation, that is, the American delegation, rejected the inclusion of any reference in the text of any draft resolution to be adopted by the General Assembly to fighting the promotion of violent extremism on Internet networks. Why? The justification was that this goes against freedom of expression. Fighting the spread of extremism and terrorism on Internet networks is contradictory, in their opinion, to freedom of expression and speech.

Mr. Tenya (Peru) (*spoke in Spanish*): We would like to thank the President for having convened this formal debate on the responsibility to protect, which is a priority for Peru. We are also particularly grateful for the Secretary-General's report in this regard (A/72/884).

This formal debate comes after nine years of informal interactive dialogue and represents a further step towards the consolidation of a principle that is inherent in the promotion and protection of human rights and closely linked to the obligations undertaken by the Peruvian Government. We reaffirm our commitment to the principle of its three pillars, starting with the recognition of the fact that the responsibility to protect falls primarily on States, with the objective of strengthening rather than undermining their sovereignty.

Peru is committed to international humanitarian law and international human rights law. We are party to the key international instruments in both areas, whose provisions are duly reflected, developed and implemented in our domestic legislation. In this connection, during our current term in the Security Council, we are according a high priority to its responsibility to protect civilians in accordance with international humanitarian law. We feel compelled to express our deep regret and concern about the impunity with which international humanitarian law is being violated today, in many cases without the Security Council living up to its responsibilities.

We want to emphasize, therefore, that it is the moral and legal obligation of the members of the Council to act with unity to put an end to the suffering that for various reasons afflicts millions of people in countries such as Yemen, Syria, South Sudan, the Democratic Republic of the Congo, Myanmar, Somalia, the Central African Republic, Libya and Palestine. In that connection, we want to underscore that 116 States, including Peru, have signed a code of conduct that commits us to act in a timely and decisive manner to prevent and put an end to atrocity crimes.

Here we reiterate that the sovereignty of each State should be understood to include the primary responsibility for the protection of its population and that, in line with the Charter of the United Nations, when national authorities fail to protect their populations, the international community must shoulder that responsibility.

Peru also highlights the fact that a number of peacekeeping operations deployed by decision of the Security Council have mandates to protect civilians, including ones in which Peru's own army is involved. However, all States must abide by international humanitarian law and train their armed forces to that end. Peru has adopted various initiatives in this regard, reflected in the impeccable performance of our troops deployed in several peacekeeping operations.

We emphasize that the most effective way to protect is through prevention. In this regard, we underscore the importance of understanding that sustainable peace is a lasting objective, focused on human beings and on the institutions and processes required to prevent or resolve violent conflicts.

Here we also want to highlight the Secretary-General's report, which focuses on how to improve early-warning mechanisms and achieve a rapid transition to early action. It is important to strengthen existing preventive capacities and promote mechanisms for genuine accountability. Among other things, this implies full respect for the rule of law at the national and international levels. It is therefore essential to address the root causes of conflicts and ensure that human rights are upheld. To that end, it is equally vital to ensure accountability for the commission of atrocity crimes, and here the International Criminal Court plays a vital role. We therefore encourage all States to accede to the Rome Statute and cooperate with the Court. We also urge the Security Council to refer atrocity cases to the Court in situations where it is necessary to guarantee access to justice and prevent impunity.

We would like to conclude by reiterating Peru's commitment to the responsibility to protect and by expressing our gratitude to the Special Advisers to the Secretary-General for their outstanding work.

Mrs. Cupellini (Italy): At the outset, I would like to thank the President of the General Assembly and the Secretary-General for their statements and for the advocacy on the responsibility to protect that the Secretary-General continues to provide, including through his annual reports. I would also like to congratulate Australia and Ghana for having made today's formal debate possible.

Italy aligns itself with the statements delivered by the observer of the European Union and by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99), which we have the honour of co-chairing this year, together with Qatar. I would like to make a few additional remarks in my national capacity.

The growing number of attacks on civilians, schools, hospitals, humanitarian workers and peacekeepers; the forced displacement of millions of people and today's unprecedented refugee crisis; and the widespread and systematic use of sexual and gender-based violence as a deliberate strategy by State and non-State actors are stark reminders of the fact that we need to close the gap between our commitment to the principle of the responsibility to protect and our actions. Mass atrocities can and must be prevented. In 2005, we made a commitment: early-warning mechanisms exist, and it is now time for action.

The responsibility to protect lies primarily with national authorities and should therefore start at home

and inform our policy decisions at both the national and international levels. In this regard, I would like to highlight three concrete examples of Italy's endeavours.

First, as a non-permanent member of the Security Council in 2017, Italy spared no effort in pursuing the core objective of the Council and, ultimately, of the United Nations, that is, the protection of civilians. We promoted a more systematic handling of cross-cutting issues and transnational threats on the part of the Security Council in the light of their repercussions for international peace. We highlighted the importance of implementing a holistic approach that combines security, development and the protection of human rights.

In this regard, I would like to recall the briefings on the issues of refugees and the threats to the stability of the Mediterranean posed by terrorism, organized crime, migration and human trafficking; the adoption of resolution 2347 (2017), on the impact on international peace and security of the destruction of cultural heritage as a way of destroying national identities; the adoption of resolution 2388 (2017), on trafficking, with its victim-centred approach; and the adoption of resolution 2382 (2017), aimed at strengthening the role of United Nations police in protecting civilians, including by providing assistance and support to local authorities.

We encourage the members of the Security Council to continue to hold regular debates on the threat of atrocity crimes so as to strengthen the Council's role in prevention, including through briefings by the Secretary-General's Special Advisers on the Prevention of Genocide and on the Responsibility to Protect, the High Commissioner for Human Rights and civil-society representatives.

Secondly, in January we launched the Responsibility to Protect in Schools project, which we developed together with the Netherlands as a concrete way of delivering on our mandate in the Security Council and in order to raise awareness of the importance of protecting fundamental rights and freedoms and establishing international principles for the prevention of mass atrocities. In this role-playing game, students are faced with a fictitious but realistic scenario in which the civilian population is exposed to mass atrocities and crimes. Through the game, they also become aware of the complex dynamics that occur in real life, such as a Government that systematically violates the rights of part of its population; the inability of the United Nations to intervene because it has not been authorized to do so by the Security Council; the specific interests of some countries; and the crucial role played by civil society and the media in raising awareness of the tragic situation through the news, detailed reporting and, above all, images. We will promote the project in additional Italian schools and start collaborating with other Governments to replicate the course internationally.

Thirdly, Italy, as the Western country contributing the most troops to peacekeeping operations, immediately endorsed the Kigali Principles on the Protection of Civilians. We invite other member States to do the same. We believe that the effective protection of civilians requires properly trained troops, adequate equipment and a strong political commitment. Italy will continue to do its part, redoubling its efforts in providing training and offering capacity-building to military, police and judicial officers from all over the world.

Since 2005, through the Centre of Excellence for Stability Police Units in Vicenza, we have trained more than 10,000 police personnel units, many of which are deployed in peacekeeping operations in Africa. Our personnel are regularly trained in the areas of human rights, sexual and gender-based violence, the protection of children in armed conflict and the responsibility to protect. Last year we joined the Circle of Leadership on preventing and responding to sexual exploitation and abuse, launched by the Secretary-General, to heighten the commitment to preventing and prosecuting cases of sexual exploitation and abuse, including among our military personnel.

Against that backdrop, we truly believe that with the simple measures that are available, we can effectively implement the responsibility to protect. There is no excuse. In this regard, we believe that there is added value in including that responsibility as a standing item on the agenda of the General Assembly so as to allow the United Nations membership to properly and formally debate the issue, share best practices and discuss our differing opinions on the subject.

Mr. Wenaweser (Liechtenstein): We welcome today's first formal debate in the General Assembly on the responsibility to protect, and we align ourselves with the statement delivered by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99).

Despite the increasing number of occasions on which the norm of the responsibility to protect is referenced in United Nations resolutions and debates, the actual gap between our expressed commitment to protect civilian populations and our collective action to do so in crises has widened. Thirteen years after the 2005 World Summit, it is high time to take that norm from the realm of the conceptual to concrete action.

The primary responsibility of each State to protect its population from crimes against humanity, war crimes, genocide and ethnic cleansing is not contested. In adopting the norm of the responsibility to protect, we have also collectively agreed on our joint responsibility in the event that individual Governments are either unable or unwilling to fulfil this task.

The norm of the responsibility to protect provides for a wide range of measures, from diplomatic engagement to more robust enforcement measures. The Security Council, as the guardian of international peace and security, is given a special role to that end. In many situations involving mass atrocity crimes, however, the Council is paralysed owing to the use or threat of use of the veto. The steadily increasing number of supporters of the Accountability, Coherence, and Transparency group code of conduct — 117 States at present — is an expression of the collective expectation of the States Members of the United Nations.

Council membership comes with responsibilities and a stated commitment to taking action to end or, ideally, prevent atrocity crimes. The 117 States that have joined the code of conduct have committed to supporting timely and decisive action to this end and to refraining from voting against credible draft resolutions before the Council that pursue this goal. In our view, the code of conduct is a baseline that all States running for Security Council membership should be able to meet. We invite all States that have not yet done so to join and work for the application of the code.

It is disappointing that the political consensus around the norm of the responsibility to protect, 13 years after we agreed on it unanimously, remains fragile. This is due in no small part to misrepresentation of the norm with respect to the use of force. The norm is frequently misconstrued as an attempt to bypass the Charter of the United Nations and to justify military action that has not been authorized by the Security Council. This is a mistake, because it harms not only the norm but also our international legal order. The responsibility to protect does not alter the prohibition on the illegal use of force under the Charter of the United Nations, one of the most important building blocks of the international order; rather, it spells out clearly that military action is possible as a last resort and only when authorized by the Council under Chapter VII.

If the norm of the responsibility to protect is positioned squarely within the framework of the existing regime with respect to the use of force, there will soon be an additional tool for the Council to be more effective in playing its enforcement role regarding the use of force. On 17 July the International Criminal Court (ICC) will commence its exercise of jurisdiction over the crime of aggression, the most serious form of the illegal use of force.

In addition to the established prohibition of the illegal use of force under the Charter of the United Nations, the ICC will, in a complementary manner, offer the avenue of individual criminal responsibility for those in breach of this prohibition. We hope that a significant number of States will join the 35 States parties that have already ratified the Kampala amendments on the crime of aggression, governing the Court's jurisdiction in this respect.

We also hope that the Council will avail itself of this new tool in its work to regulate the legality of the use of force in accordance with the Charter of the United Nations.

In addition to this new function, the International Criminal Court will continue playing a direct, effective role with respect to the issue we are considering today. Ensuring accountability for mass atrocity crimes is an essential element in preventing their recurrence. Despite its obvious limitations, in the absence of universality of the Rome Statute, and with the Security Council being at best a reluctant enforcer of accountability, the ICC remains the centrepiece of the fight against impunity for such crimes and deserves our continued support.

Mrs. Bogyay (Hungary): At the outset, I would like to thank the Secretary-General and the President of the General Assembly for convening and supporting this crucial formal debate, which offers an excellent opportunity to renew and enhance our pledge to build a stronger global partnership for the prevention of genocide. We want to thank Australia and Ghana for having pushed so hard to put it on the agenda here in the General Assembly.

We share the growing concerns of the Secretary-General about the increase in the number of victims of atrocity crimes. That is why we have to strengthen the response of the United Nations by implementing specific measures to improve internal United Nations coordination in the area of the responsibility to protect.

Hungary strongly supports the work of the Special Adviser on the Prevention of Genocide and the Secretary-General's decision to appoint a new Special Adviser on the Responsibility to Protect. It is more important than ever to ensure that States place more emphasis on prevention through various measures, including early-warning systems, political mediation, empowering the victims of crimes, enhancing domestic and international capacities for ending impunity and finding new ways to ensure more effective compliance with international humanitarian law.

As an active member of the Group of Friends of the Responsibility to Protect, Hungary is fully dedicated to raising awareness on the issue at the national and international levels. We support the work of the Budapest Centre for the International Prevention of Genocide and Mass Atrocities, which among other things will host a workshop on the prevention of radicalization in practice, aimed at raising awareness in the security sector in Hungary on the challenges posed by polarization and radicalization.

In order to enhance the visibility of international human rights mechanisms and to provide a platform for international dialogue on current human rights issues, the Ministry of Foreign Affairs and Trade of Hungary has organized the annual Budapest Human Rights Forum for 10 years now, bringing together national and international human rights experts as well as representatives of non-governmental and governmental organizations and academia.

In the field of crime prevention, for example, we adopted a national crime prevention strategy for the period from 2013 to 2023. We provide various training programmes for professionals working with young people, including mediation training to handle conflict in schools. With regard to human rights, in 2012 the Government established a human rights working group with the purpose of monitoring respect for human rights in Hungary in compliance with the recommendations of the Human Rights Council and the Working Group on the Universal Periodic Review.

We believe, of course, that action should be taken not only at the national but also the international level. We therefore support the work of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. Hungary has always been an active member of the Accountability, Coherence and Transparency (ACT) group, supporting efforts to make the Security Council more efficient, inclusive and legitimate. We advocate for refraining voluntarily from the use of the veto in case of mass atrocities, and we encourage all member States that have not yet done so to sign the code of conduct formulated by the ACT group to strengthen cooperation within the United Nations framework.

The role of the International Criminal Court (ICC) is also vital to ending impunity and bringing perpetrators to justice when national criminal accountability mechanisms are not available. That is why we stand by the ICC and have pledged our full support to the values it defends.

Our eventual goal, of course, should be to ensure peaceful and secure living conditions for all in their homelands, free from the possibility of falling victim to atrocity crimes. However, this can be achieved only by tackling the root causes of conflict, as well as by dealing with transnational threats such as violent extremism, terrorism, human trafficking, modern-day slavery, climate change and water scarcity as part of our broader prevention efforts.

Mrs. Chatardova (Czech Republic): The Czech Republic aligns itself with the statements made earlier by the observer of the European Union and by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99).

I thank Secretary-General António Guterres for his valuable report (A/72/884), whose conclusions we broadly share. As a member of the Group of Friends of the Responsibility to Protect, the Czech Republic remains fully committed to that responsibility. We call for the full and consistent implementation of all three pillars in line with paragraphs 138 and 139 of the 2005 World Summit Outcome document (resolution 60/1). The Czech Republic stresses the importance of prioritizing and meaningfully investing in the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity.

I would like to thank Finland and Mexico for having recently convened the eighth annual meeting of the Global Network of R2P Focal Points, as well as the Global Centre for the Responsibility to Protect for its hard work. In line with the Secretary-General's report, we encourage all Member States to appoint their national responsibility-to-protect focal points and join the growing global network.

All Member States must uphold their obligations under international human rights law and humanitarian and refugee law, which underpin our commitment to the responsibility to protect. We condemn the growing number of deliberate attacks on civilians, humanitarian workers, journalists, peacekeepers, hospitals, schools, places of worship and cultural sites.

The Czech Republic stresses the need for the Security Council to act effectively and consistently when faced with mass atrocity situations. In that regard, we welcome the code of conduct of the Accountability, Coherence and Transparency group regarding Security Council action against genocide, war crimes and crimes against humanity, and the French and Mexican initiative on voluntary restraint on the use of the veto by the permanent members of the Security Council, aimed at supporting timely and decisive action by the Security Council to prevent atrocities. Ensuring accountability for mass atrocity crimes is one of the best ways to prevent them from recurring. National accountability efforts should be strengthened, as States have the primary responsibility to investigate and prosecute crimes committed within their jurisdiction. The International Criminal Court remains the most important institution in the struggle to end impunity for genocide, war crimes and crimes against humanity. The Czech Republic continues to support the Court and provides financial support for the accountability mechanisms established by the United Nations, including the Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, established under resolution 71/248.

The Czech Republic is concerned about the fact that sexual and gender-based violence is increasingly employed as a deliberate strategy by State and non-State perpetrators. We remain determined to help combat sexual and gender-based violence in conflict and post-conflict countries. In partnership with non-governmental organizations, the Czech Republic implements projects aimed at preventing sexual violence and abuse of women and girls, including through setting up centres for marginalized and abused girls, as well as by providing for the health care and hygienic needs of internally displaced persons in Syria, Lebanon, Yemen, Libya, South Sudan, Iraq, Pakistan, Jordan and Bangladesh.

As a candidate country for the Human Rights Council, the Czech Republic remains committed to the responsibility to protect. We encourage the preventive role of the Human Rights Council, in accordance with its mandate. We stress the important role that Geneva-based institutions and mechanisms such as the Universal Periodic Review and special procedures mandate-holders can play in preventing and responding to mass atrocity crimes, as well as the importance of regular Security Council briefings on mass atrocity situations by the United Nations High Commissioner for Human Rights.

I would like to assure members that the Czech Republic is ready to explore all possible ways of translating the concept of the responsibility to protect into concrete action.

Mr. Zehnder (Switzerland) (*spoke in French*): Switzerland welcomes the inclusion of this important debate on the responsibility to protect on the agenda of the seventy-second session of the General Assembly. Genocide, crimes against humanity and war crimes are the most serious crimes under public international law, which obliges all States — whether or not they are directly party to a conflict — to take all necessary measures to prevent such crimes, end those under way, bring their perpetrators to justice and prevent their recurrence. As we celebrate the twentieth anniversary of the Rome Statute of the International Criminal Court, it is fitting to recall the fundamental role played by this institution in the fight against impunity. We encourage all States to cooperate with the Court and support it so that it can continue to fulfil its vital role in the prevention of serious crimes.

We commemorated World Refugee Day only a few days ago. To grasp the gravity of the situation, one has only to look at the unprecedented number of 68.5 million displaced persons throughout the world, the great majority of whom have been displaced owing to conflict. Discussions on the responsibility to protect continue to be essential, and the debate on this issue should be set up within an institutionalized

framework and take place on a regular basis. With regard to such institutionalized frameworks, we underscore the importance of the United Nations Office on Genocide Prevention and the Responsibility to Protect and its Special Advisers, whose cooperation has been invaluable to Switzerland in the context of its commitment to the prevention of atrocities, not only in the framework of the Global Action against Mass Atrocity Crimes but in others as well.

Switzerland is convinced that effective prevention requires addressing the root causes of conflicts. In that regard, we especially welcome the process of reflection on the system of protection of human rights, in particular on the role of the Human Rights Council. We call on all States to cooperate with that essential body. More attention needs to be given to the preventive potential of the Human Rights Council, and together with a group of States we therefore introduced a draft resolution during the current session under way in Geneva. Moreover, the three pillars of the United Nations must be brought closer together so that real progress can be made in preventing violence and human suffering, which dovetails with the prevention vision that the Secretary-General has elaborated on many times.

The goal of moving from early warning to early action can be achieved only if the Security Council more frequently and effectively avails itself of the preventive role that the Charter of the United Nations confers on it. In that context, the Council should make greater use of the potential offered by existing formal and informal mechanisms.

In conclusion, Switzerland would also like to point to the vital role that civil society can play in the prevention of atrocities, not only as a voice condemning violations but as an entity possessing expertise in a specific area that has not yet been fully developed or implemented at the national level.

Ms. Rodríguez Abascal (Cuba) (*spoke in Spanish*): The delegation of Cuba is grateful to the President of the General Assembly for his good offices in convening this meeting and for the efforts of the Secretary-General in preparing his latest report on the responsibility to protect (A/72/884).

Cuba has repeatedly stated that the issue of the responsibility to protect continues to present serious concerns for many countries, particularly small and developing States, owing to the lack of consensus on various elements of the concept and their identification, which can be easily manipulated for political purposes. It is a fallacy to speak of the principle of the responsibility to protect. Such a responsibility is not a principle but a concept whose characteristics, rules of implementation and assessment mechanisms are far from being established and agreed. In that regard, it is inappropriate to speak of strengthening the implementation of the responsibility to protect in the absence of a consensus on its scope and implications that would resolve diverging interpretations, ensure its universal recognition and acceptance and confer legitimacy on proposed action for its implementation.

It is fitting to underscore the fact that the international understanding on the responsibility to protect is circumscribed by paragraphs 138 and 139 of resolution 60/1, where the concept is restricted to cases of genocide, war crimes, ethnic cleansing and crimes against humanity, and which state that the duty of the international community is to encourage and assist States in exercising that responsibility, as appropriate.

The term "atrocity crimes" is not part of that understanding and should therefore not be used to refer to the four cases mentioned in paragraphs 138 and 139. My delegation is concerned that the terms "atrocity crimes" or "mass atrocities" may be used selectively and for political purposes to refer to various situations, given the lack of clarity and agreement on the United Nations mechanisms and bodies that would be responsible for their identification and classification.

In a United Nations where attempts are made to impose rather than negotiate and countries are threatened because of their sovereign decisions, there is a very valid concern about the lack of definition as to who decides when there is a need to protect; who determines that a State is not protecting its population; and who decides what action is to be taken and on the basis of what criteria. Nor is it clear so far how we can ensure that the option to take action is implemented with the consent of the affected State, so as to avoid using that concept as a justification for a supposed and non-existent right to intervene.

International efforts to prevent the occurrence of acts of genocide, war crimes, ethnic cleansing or crimes against humanity — an objective that Cuba has always shared — should contribute to strengthening the purposes and principles of the Charter of the United Nations and international law, in particular sover[illegible]gn

equality, territorial integrity and self-determination. However, the ambiguities of that concept and the implications of the exercise of its so-called three pillars run counter to those purposes and principles. For that reason, the pre-eminence of the principles of voluntarism, prior request and the consent of States should be recognized in the context of the responsibility to protect.

If the intention is to prevent, the root causes of those situations — such as underdevelopment, poverty, an unjust international economic order, inequality and social exclusion, hunger, marginalization, food insecurity or a lack of access to drinking water — should be addressed, as well as the structural problems that determine the outbreak of conflicts that escalate to extreme situations, among others, that, unfortunately, are not promoted with the same force by many of those who defend the advancement of the concept of the responsibility to protect. Those would be real acts of prevention.

Finally, we reiterate that ensuring that the international community does not remain indifferent in the face of genocide, war crimes, ethnic cleansing and crimes against humanity is a noble effort. In many cases, however, the promotion of the responsibility to protect masks an interest in having yet another tool to facilitate interference in internal affairs, with agendas for regime change and subversion in third countries, most of which are small and developing States. Unfortunately, world history is replete with sad examples that justify such a concern.

Mr. Sinirlioğlu (Turkey): We welcome the inclusion of the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity on the formal agenda of the General Assembly at its seventy-second session. At a time when the atrocities committed in various corners of the world continue to cause unprecedented human suffering, the international community must address the issue of preventing such crimes. We thank the Secretary-General for his comprehensive annual report (A/72/884), which constitutes a solid basis for our deliberations today.

At the 2005 World Summit, Member States made a landmark commitment with regard to their responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Unfortunately, the report of the Secretary-General portrays a daunting picture concerning the negative trends in that regard. Since 2005, deaths caused by armed conflicts have increased tenfold and the number of people forcibly displaced has reached record levels. It is clear that civilians are the ones who pay the highest price when Member States fail to uphold their responsibility to protect. As we speak, millions of innocent people who have had to flee their homes owing to the atrocities committed in Syria, Myanmar and elsewhere are seeking to survive in desperate situations. In order to prevent and alleviate that immense human suffering, the international community must consider efficient ways and means to narrow the gap between its commitments and actions.

The responsibility to protect has not yet become an established norm of international law, and its scope and implementation should be defined and refined. Efforts in that regard should not be carried out in a way that reinterprets or renegotiates well-established principles of international law or the existing legal framework. Crimes of genocide, war crimes, ethnic cleansing and crimes against humanity are well-defined legal concepts. We should implement the relevant legal framework faithfully and consistently. We should also bear in mind that the concept of the responsibility to protect seeks to establish a delicate balance between safeguarding the humanitarian concerns of the international community while respecting the principle of national sovereignty. Pursuing a non-selective approach vis-à-vis the implementation of that concept is key if we are to achieve the widest possible consensus among the membership on that important issue. Discussions such as the ones we are having today can contribute to progress in that regard.

We welcome the Secretary-General's approach, which has a central focus on prevention. Indeed, prevention is one of the most effective instruments in our toolbox. Turkey believes that preventive policies and mediation efforts should have a more prominent role. With that understanding, Turkey attaches particular importance to preventive diplomacy and is pioneering mediation efforts not only in the United Nations but also through regional and bilateral initiatives in our wider geographical area and working actively for the peaceful settlement of disputes. When efforts aimed at prevention do not succeed, United Nations organs, including the Security Council, must remain ready to assume their responsibilities as enshrined in the Charter of the United Nations. We hope that the discussions on

the responsibility to protect and its implementation will also contribute to the efforts aimed at restraining the use of the veto power in the Security Council where crimes against humanity and the crime of genocide are concerned.

Before concluding, I would like to underscore that ensuring accountability for crimes that have been committed should also be an indispensable component of our discussion today. Accountability is essential not only to avoiding impunity and delivering justice but also to preventing the recurrence of atrocities in future.

Mr. Mohamed (Sudan) (*spoke in Arabic*): The membership of the United Nations has remained a symbol of State independence and sovereignty. The United Nations has also become the principal international forum for collective work aimed at realizing the three objectives of State-building, nation-building and economic development. The United Nations has therefore become the main arena in which the sovereignty of States is strongly defended and not abandoned.

In a world characterized by disparities in power and resources, in many States sovereignty is the best, and sometimes the first and only, line of defence. However, it is more than a functional concept in international relations. It is a recognition for many States and nations of their equality in status and dignity with other States and nations. It protects their unique identity and national freedom, and asserts their right to determine their own destiny.

States and the international community must work together to tackle the root causes of internal conflicts. Required or beneficial interventions should provide support in terms of meeting existing needs and addressing the negative political aspects of a situation, with a view to establishing democracy, promoting capacity-building and adopting measures for confidence-building among communities and various groups, while addressing issues of economic deprivation and lack of opportunity.

Over the past three decades, the urgency of the problem of dealing decisively with the causes of environmental deterioration has grown, as it is directly responsible for internal conflicts and poses a real threat to the existence of planet Earth. This is a danger not just to international peace and security but to the very existence of the human race.

Development assistance and cooperation are necessary in order to counter the inequitable distribution of resources and opportunities, strengthen economic growth, enhance the terms of trade, provide access to international markets for the products of developing nations, encourage essential economic and structural reforms and provide technical support in order to promote the relevant instruments and organizational institutions. Tackling root causes also means strengthening legal protections and existing legal institutions while supporting efforts aimed at promoting the rule of law and protecting and ensuring the independence of judicial systems.

If our objectives are to strengthen, not weaken, the sovereignty of States and improve the capacity of the international community to respond vigorously when a State commits serious violations of human rights and fails to protect its citizens, it is essential to reconcile the two objectives. This issue requires further study in a spirit of creativity, so as to devise fresh solutions under the umbrella of international law, in particular the Charter of the United Nations.

We should recall in this regard that a number of great politicians in the international arena have commented on the concept of the responsibility to protect by saying that although the objective is a noble one, the concept itself gives rise to a number of questions. It is our conviction that this description is accurate. It certainly reflects our own position.

(*spoke in English*)

Finally, we have to remember that the post-Second World War order was built on collective security and the prohibition of acts of aggression, particularly inter-State wars of aggression. The peacekeeping and peacebuilding system has given due and satisfactory attention to internal conflicts and the attendant risk of violations. In many, if not nearly all, Security Council resolutions on situations of internal conflict and violence, the Council has qualified such situations as threats to international peace and security. It would therefore not be possible to perceive the existence of any vacuum were the current situation not built on a post-1990 order that is primarily driven by the desire to consolidate interests and influence.

The concept of the responsibility to protect as advanced today is marred by contradictions in relation to the provisions of the Charter of the United Nations and the system of collective security that it created. It

is marred by indifference to the fact that the concept is being exclusively directed at developing countries suffering from underdevelopment, environmental degradation and internal conflict. Indeed, and most importantly, it is marred by the selective approach that it fosters, built as it is on mere feasibility. That is why the concept is theoretically linked to and promoted in conjunction with the call to promote the jurisdiction of the infamous International Criminal Court.

Ascribing primary responsibility to States as a justification for advancing the notion of responsibility to protect is fallacious. The primary-responsibility principle, as provided for in Article 24 of the Charter, is linked to the operation of Chapter VII of the Charter on collective security. The responsibility to protect is a repudiation of Chapter VII of the Charter.

Mrs. Gueguen (France) (*spoke in French*): France thanks the President of the General Assembly for organizing today's debate and the Secretary-General for his report on the responsibility to protect (A/72/884) and, above all, for his personal commitment to the issue. I would also like to thank the Special Adviser on the Prevention of Genocide, Mr. Adama Dieng, whose work and dedication I commend.

The concept of the responsibility to protect was endorsed in 2005 by all States members of the General Assembly so that States would never again commit atrocities against their own citizens. Yet as the Secretary-General has pointed out, despite the fact that we will be commemorating the seventieth anniversary of the Universal Declaration of Human Rights on 10 December, the most serious crimes are unfortunately far from being on the decline around the world, whether in Syria, Burma, South Sudan or the Central African Republic, to cite some striking examples. Working together, we must — and we can — do more to protect the most vulnerable.

Despite the solemn commitments we have jointly made, tragic situations that the United Nations is powerless to address continue to prevail. We all are thinking here, of course, of the situation in Syria. Over the past seven years, the Syrian regime has committed numerous crimes against its own people, including through the use of chemical weapons, and has consistently violated its obligations under international law, primarily in humanitarian matters. This is an incontrovertible fact that has been repeatedly established by robust and impartial mechanisms that form part of our collective security architecture. However, the United Nations has been prevented from acting effectively because of Russia's 12 vetoes in the Security Council.

France is not resigned to that situation. On the contrary, we call on those who have influence over the Syrian regime to assume their responsibilities. It is in that spirit that France, through its highest authorities, has engaged Russia and Iran in recent months, pragmatically and in accordance with principles of international law, so that urgent concrete measures can be taken on the ground to end the suffering of the men, women and children of Syria. That is the primary goal of the Small Group of the Global Coalition to Counter the Islamic State in Iraq and the Sham, of which France is part, which is meeting today in Geneva with Staffan de Mistura, the United Nations Special Envoy for Syria.

Another tragic situation that shocks the conscience is that of the Rohingya. More than 720,000 have fled Burma to Bangladesh since the end of August 2017. France reiterates its condemnation of the serious human rights violations committed against the Rohingya people. The Security Council has visited the area, and the measures taken by the Burmese authorities are a first step, but the commitments have yet to be translated into action. Much progress remains to be made. It is therefore essential to ensure that the international community, especially through the Security Council, remains vigilant and mobilized.

It is up to every State to protect its own peoples. If States fail to do so, however, it is the responsibility of the international community, represented by our Organization and within it the Security Council, to work tirelessly to that end. Considering the magnitude of the challenges, the Council must be able to respond, especially in situations of mass atrocities. In that regard, France and Mexico have proposed a concrete measure — suspending the use of the veto in the event of mass atrocities. We invite all States, especially the other four permanent members of the Council, to join that initiative.

We also have a responsibility to support the fight against impunity and to support independent and impartial justice. With the support of France and other partners, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic supports the operationalization of the Special Criminal Court, which has competence in serious violations of

human rights and international humanitarian law, as well as other abuses that may constitute war crimes, crimes of genocide and crimes against humanity. France calls on all States to support and cooperate with fact-finding missions, commissions of inquiry and international criminal justice instruments — first and foremost of which is the International Criminal Court, in the case of the most serious crimes. We must remain vigilant against those who spread ethnic and religious hatred and violence, which the Security Council still has the means to sanction.

Mr. Tevi (Vanuatu), Vice-President, took the Chair.

France believes that the Geneva-based institutions and mechanisms are also essential in preventing and responding to mass crimes, whether through the Universal Periodic Review or the regular briefings of the Security Council by the High Commissioner for Human Rights.

When we talk about the responsibility to protect, we are not talking about a principle meant to divide; we are talking about a compass to protect populations. The responsibility to pronect is not in opposition to sovereignty, quite the contrary. By definition, a principle of action can always be enriched, and that is where the United Nations and the whole international community can play their key role. France will continue to play its full part.

Mr. García Moritán (Argentina) (*spoke in Spanish*): It is an honour for Argentina to participate in this debate, which represents a unique opportunity for analysing the pending challenges to the international community with regard to the responsibility to protect.

First of all, I would like to welcome the tenth report of the Secretary-General (A/72/884), which stresses that early action is central to the responsibility to protect. As the report indicates, while there has been progress in efforts to implement the responsibility to protect, there is a growing gap between our responsibilities and the daily experience of vulnerable populations. It is noted that the main problem is the failure to translate early warnings of atrocity crimes into effective early action so as to prevent them.

Argentina shares the Secretary-General's diagnosis and believes that all States, as equal and sovereign, have reciprocal rights and responsibilities, and all should be equally committed to the protection of their populations from atrocity crimes, through respect for international law, especially humanitarian law, human rights norms and refugee law, as well as the to the fight against impunity.

In that context, Argentina considers that prevention is the most important dimension in protecting populations from atrocity crimes. That requires building capacity in States by training public officials capable of preventing the four crimes under the responsibility to protect. It is also crucial to ensure the participation of other actors such as civil society, since in many cases they are the ones working in the field with States and providing important technical assistance. The positive role of regional and subregional organizations in conflict prevention and resolution efforts should be highlighted as well. We also consider it important to increase our efforts to empower women as agents in the prevention of atrocity crimes.

We believe it is essential to strengthen the accountability of those responsible for atrocity crimes. The ratification of the Rome Statute and its amendments is key to protecting populations in the light of the Statute's contribution to the fight against impunity and as a deterrent mechanism.

Also, on the occasion of the seventieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, we must reiterate the importance of ratifying that effective international instrument for accountability. We also invite all Member States to endorse the Safe Schools Declaration, in support of which my country had the honour to organize the second international conference in Buenos Aires in 2017.

Argentina supports the initiatives of the United Nations system, such as the responsibility to protect, peacekeeping operations, peacebuilding actions, the promotion of the rule of law and the Human Rights Up Front initiative, among others. We would also like to highlight the contribution of the Global Network of R2P Focal Points, composed of 60 Member States, including Argentina, as a tool for building individual and collective capacities to prevent mass atrocities. I want to express our support for the work of the Office for the Prevention of Genocide and the Responsibility to Protect and the crucial role played by both Special Advisers in an area so relevant to our country.

In conclusion, Argentina would like to reiterate the importance of reaffirming our commitment to the responsibility to protect, redoubling our efforts towards its full implementation and underscoring once again

the fundamental role of prevention and accountability from a cross-cutting and comprehensive perspective in all our efforts and initiatives.

Ms. Lodhi (Pakistan): Let me start by thanking the President for convening this meeting of the General Assembly on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity.

Even though the General Assembly is holding its first formal meeting since 2009, it has remained seized of the matter, albeit in an informal manner. My delegation was among those that preferred the continuation of our discussion within the existing framework, for we were not fully convinced of the utility of a one-off formal meeting of the Assembly on an issue that evokes such divergent viewpoints on its nature, scope and application.

In any case, we believe that the onus should not be on the modalities of our discussion but rather on the substantive nature of the differences in our perspectives and viewpoints. Or course, that view in no way diminishes my country's abiding commitment to the safety and security of all our citizens. That is, in fact, an obligation inherent in the nature of sovereignty and national responsibility.

In recent days, the issue of protection has come into a renewed global spotlight, in particular because of the grave situation in occupied Palestine. It is also in Palestine that the failure of the international community to uphold those norms has been most manifest and telling. Thus, as the killing fields of Gaza were drenched in the blood of more than 130 innocent Palestinians, including women and children, the Security Council was a silent bystander to the plight of the long-suffering Palestinian people. Even more disturbing, while the safety and protection of Palestinian civilians throughout the occupied territory is a right expressly recognized in several Security Council resolutions, the Council failed to reaffirm that right on 1 June. As we all know, as a result, on 13 June the General Assembly had to step in (see A/ES-10/PV.38) yet again to fill the void left by the Security Council's inaction.

The edifice of the responsibility to protect stands on more tenuous ground today than ever before, for decisions taken by the international community have often failed the test of the highest standards of objectivity and impartiality. That masquerade of political expediency posing as high-flowing idealism has meant that resultant actions have lacked the legal and moral legitimacy to gain wider acceptability. After all, if we are selective in our approach, expressing indignation at some transgressions while choosing to wilfully ignore others, any norm will quickly turn into mere pretence.

Against that backdrop, calls for accountability would invariably smack of double standards and selectivity, especially when egregious crimes, including killing and mass blinding, are being committed in full view of the international community. Many of those tragic victims, including in Indian-occupied Jammu and Kashmir, have the further indignity of living under foreign occupation, which is illegal. What is therefore needed is not an abdication of our collective responsibility to prevent those grave crimes but a willingness to apply consistent and uniform standards of moral outrage to all of them.

The will of the international community, particularly the permanent members of the Security Council, is obviously crucial. That is especially important to addressing issues of the admissibility of actions and to ensure their consistency, since we have seen that in the face of divisions within the Council, unilateral actions have led to situations characterized as illegal but legitimate. We should neither attempt to establish nor accept any artificial duality between the twin imperatives of legitimacy and legality. We should also be mindful that the notion of the responsibility to protect cannot give way to a mere re-enactment of the discredited humanitarian interventions of the past. For we know only too well that such eventualities would be reserved only for the most powerful States and might actually lead to preventing justice itself from being administered.

At its core, the responsibility to protect is not a license to intervene in external situations but rather a universal principle of non-indifference, in keeping with the historical context and cultural norms of individual settings. It is predicated on the express recognition that the responsibility for the protection of civilians lies, first and foremost, with Member States. Set against the overarching principle of State sovereignty, the responsibility to protect cannot become a basis on which to contravene the principles of non-interference and non-intervention, or to question the national sovereignty or territorial integrity of States.

In a world beset by growing socioeconomic inequalities, situations leading to the responsibility to protect are more often than not the result of underdevelopment and poverty. A renewed commitment to helping States build their capacity, including through governance and judicial reforms, is therefore crucial. A long-term commitment on the part of the international community, including to mobilizing adequate resources for sustainable development and poverty eradication, as also reflected in the 2030 Agenda for Sustainable Development, is the best investment in prevention.

As rightly noted by the Secretary-General in his latest report (A/72/884), it costs far more to pick up the pieces after a crisis than it does to prevent it. What is therefore needed is a surge in diplomacy, not in conflict, in order to achieve the goal of preventing grave crimes against humanity.

Mr. Heumann (Israel): At the outset, let me just say that I think it is regrettable that some here have injected political ideas into this forum rather than focusing on constructive comments on the important topic of the responsibility to protect.

My delegation would like to express its appreciation to Australia and Ghana for their commitment to this vital issue, and for promoting a debate in the General Assembly under a new agenda item. Israel supports the inclusion of the topic of the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity on the formal agenda of the seventy-second session of the General Assembly. We would also like to thank the Secretary-General for his report (A/72/884).

As we read the news every day, we are reminded of the importance of this issue. In every region, from Africa to the Middle East and from Asia to Latin America, we see the human toll of conflicts — in lives lost, families torn apart and the millions of men, women and children who have been left homeless and even stateless. As the Secretary-General said, trends continue to move in the wrong direction. Peace and security seem farther away than ever, and the price is paid by civilians throughout the world. We have to reverse those trends.

Israel, the nation State of the Jewish people, understands the importance of the international community's responsibility to prevent genocide and mass atrocities. Our understanding is born of centuries of torment, persecution and exile, culminating in the Holocaust — a systematic State-sponsored genocide that murdered one third of our people. In fact, it is the atrocities of the Holocaust that led the international community to pledge "never again", and to strive to uphold that promise through the establishment of this very institution. But our global community has fallen short. There are still too many instances where that promise has not been fulfilled. History does not forget, and it will not forgive the international community if it does not act to prevent genocide and mass atrocities.

Israel's unwavering commitment to the prevention of genocide and mass atrocities led us to join the consensus on the 2005 World Summit Outcome document (resolution 60/1), including paragraphs 138 and 139, which adopt the principle of the responsibility to protect. At the same time, we stress that this doctrine does not create new legal norms or obligations, but rather must be construed and applied within existing legal frameworks. Given the fact that this is a novel doctrine, we want to highlight the need for further deliberation and discussion. We would like to offer some preliminary suggestions as to how to make that principle more effective in practice.

For the responsibility to protect to become an effective doctrine, it must also address the role and responsibility of non-State actors and terrorist groups that commit atrocities while blatantly disregarding international law. Furthermore, the doctrine should focus only on the most severe situations that involve mass atrocities, ethnic cleansing or genocide.

One of the most important issues with regard to the responsibility to protect is the primary responsibility of States to protect their own civilians. The international community must encourage and assist States in their efforts to carry out this responsibility. We must maintain our focus on this aspect of the doctrine and strengthen our efforts in the areas of early warning and prevention. To ensure effective and long-term prevention of mass atrocities, we must start at the foundations of States and societies. We must help States that wish to adopt stable democratic institutions, based on the institutional framework of the separation of powers and the rule of law, to do so successfully. For Israel, those are not just words. We have extensive capacity-building programmes in cooperation with United Nations agencies to help interested States, mainly developing and post-conflict countries, build and strengthen their judicial institutions.

Another crucial aspect that deserves our focus is education, particularly for our young people. It is of the utmost importance that young people today understand rule-of-law values, human rights, tolerance and coexistence. A well-known saying warns us that those who cannot remember the past are condemned to repeat it. We must ensure that younger generations are fully equipped with a detailed understanding of history, including its atrocities and their causes and repercussions for the affected societies. In Israel, those elements are a central part of our core curriculum, with many schools organizing educational delegations to Holocaust sites in Europe.

Paragraph 138 of the 2005 World Summit Outcome document stipulates that it is the responsibility of every State to protect its population from the crimes outlined, including their incitement. The realities on the ground today show that incitement to hatred and violence is a growing phenomenon. It has become a major contributor to the increase in atrocities and other crimes committed. We therefore believe that greater attention should be given to the dangerous role of incitement and ways of countering it when developing a doctrine for the responsibility to protect.

It is our responsibility to ensure that the atrocities of today do not continue tomorrow. We must never allow innocent civilians to pay the price of war, and by developing the most effective doctrine for the responsibility to protect, through our investment in capacity-building and education, we can help re-route our priorities and, in doing so, leave atrocities in the past and strive for a more peaceful and secure future.

Mr. Ntsoane (South Africa): We thank the President of the General Assembly for convening this timely debate on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity. We also thank the Secretary-General for his 2018 report (A/72/884), entitled "Responsibility to protect: from early warning to early action".

South Africa believes that the role of the international community in conflicts must remain that of assisting affected States. That must be done in accordance with their own constitutional and legal provisions and with the acknowledgment that the Security Council has a responsibility to act to stop such violations if it becomes clear that the specific State is manifestly failing to implement its responsibility in that regard.

The political basis for the responsibility to protect was firmly set out in the 2005 World Summit Outcome document (resolution 60/1). Our respective leaders displayed a clear intolerance for impunity and criminality by adopting the document by consensus. Going back on that undertaking is therefore not an option.

My delegation strongly agrees that prevention of atrocities is central to the successful implementation of the responsibility to protect. We continue to advocate for greater focus on the wide range of the tools of diplomacy available to us. South Africa has long been a proponent of improving response methods provided in the Charter of the United Nations for the pacific settlement of disputes, and of ensuring that the Security Council redirects its responses to emerging conflicts. The failure to employ new response mechanisms puts the responsibility on the General Assembly to take action, especially if populations are at risk of suffering from crimes in the context of the responsibility to protect. In addition, we believe that in order to succeed, the responsibility to protect requires the sustained and predictable provision of resources.

Present-day conflicts are largely centred on internal strife in Member States and transnational threats. Unfortunately, while the world has changed, the Security Council has largely remained the same. Contemporary challenges have brought divisions within the Council to the forefront, especially among its permanent members. At times, such paralysis has cost human lives. A more representative Council would be more effective in dealing with complex contemporary challenges. As advised by the Secretary-General, preventive action is built on trust, transparency and accountability. The Security Council should therefore be cognizant of that in its assessments and decision-making if it is to be effective.

South Africa continues to advocate for a more representative Security Council with a stronger voice for those closer to crises, and guided by non-discriminatory decision-making and collective interests rather than narrow national ones. The Council should therefore increase its engagement with Member States, especially those affected by conflict, and be open to effective engagement with regional and subregional institutions.

We also believe that there should be no selectivity in the implementation of the responsibility to protect aimed at instigating any Government change. We

reiterate that the three pillars of the responsibility to protect are mutually supporting and non-sequential, while emphasizing the importance of prioritizing and meaningfully investing in the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity. Furthermore, we believe that the responsibility to protect must give priority to the core interests of the safety and well-being of affected civilians and populations. The responsibility to protect must not be the narrow national interest of those who seek intervention or who implement Security Council mandates. Any Council mandate imposing a collective international responsibility to protect response must be fully respected and implemented in the letter and spirit of its provisions rather than using the mandate as a pretext for other motives.

We too welcome the report and its recommendations, which reaffirm that States have the primary responsibility to protect their populations. We also note the recommendation that Member States appoint a senior official to serve as national focal point for the responsibility to protect to coordinate national activities, share good practices and spearhead cooperation. In that regard, South Africa has appointed a focal point on the responsibility to protect to inform the Global Network. That represents a clear commitment to strengthening prevention efforts and accountability measures. Furthermore, we also agree with the report that regional and subregional arrangements have a unique and vitally important role to play in the prevention of atrocity crimes and in developing regional capacities for the early warning and assessment of atrocity crimes.

We support the proposal whereby regional entities and the United Nations can explore ways to improve the transmission of information and analysis in order to facilitate coordinated assessments and responses. In that regard, the South African Government remains committed to fully contributing to conflict prevention efforts, the protection of civilians and achieving sustainable peace within the framework of concerted multilateralism. At the regional level, the African Union Peace and Security Council, in partnership with other multilateral agencies, has set up early warning systems and directed member States to set up national early-warning centres to monitor connectivity and compliance.

In conclusion, South Africa reiterates its support and commitment to the implementation of the rights and obligations under the instruments of international human rights law and international law.

Mrs. Anderberg (Sweden): Sweden fully aligns itself with the statements delivered by the observer of the European Union and by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99).

The responsibility to protect is a commitment to protecting populations from atrocity crimes. In the 2005 World Summit Outcome document (resolution 60/1), all States Members of the United Nations expressed their commitment to the responsibility to protect concept and its three pillars. Since then, the responsibility to protect has received some misleading criticism in relation to the use of military interventions to stop atrocity crimes. Collective action under the third pillar may include coercive or non-coercive measures, and it is imperative that they are in accordance with the Charter of the United Nations.

We need to acknowledge the responsibility to protect in its broader sense and to stress the basics of the concept. The core of the concept lies in prevention. The continuing work on identifying risks, developing early warning systems and early assessment capabilities all aims to prevent atrocity crimes. However, early warning must be followed by early action. In that respect, we welcome the report of the Secretary-General, entitled "Responsibility to protect: from early warning to early action" (A/72/884). We support the report's recommendations, including with regard to strengthening existing capacities, promoting accountability and recognizing the contribution of all actors, including the role of women, in preventing atrocity crimes.

It is the obligation of each State to protect its population. There is also the larger commitment of the international community as a whole to supporting States in meeting their responsibilities. We therefore welcome the engagement of the international community and the inclusion of the responsibility to protect as a formal item on the agenda of the upcoming session of the General Assembly.

Mr. Bonser (Canada) (*spoke in French*): Canada thanks the President of the General Assembly and the Secretary-General for their statements (see A/72/PV.99), and Australia and Ghana for their leadership in including the responsibility to protect on the agenda of the General Assembly. The inclusion of

the responsibility to protect on the formal agenda of the General Assembly provides an opportunity to reflect on our shared responsibility in preventing mass atrocity crimes.

We welcome the recommendations contained in the report of the Secretary-General (A/72/884). We also wish to underscore the work accomplished by the Special Adviser to the Secretary-General on the Prevention of Genocide, Mr. Dieng, and the former Special Adviser on the Responsibility to Protect, Mr. Šimonović, in mainstreaming atrocity prevention within the United Nations system. Given our shared priority for prevention, we hope that a Special Adviser on the Responsibility to Protect will soon be appointed.

(*spoke in English*)

At the 2005 World Summit, Heads of State and Government committed to preventing international atrocity crimes by adopting the key principles that underpin the responsibility to protect. Despite the robust normative framework that has been developed over the years to protect populations from grievous harm, as we speak, 65.6 million people, a large proportion of whom are children, are forcibly displaced around the world. In Syria, Yemen, Myanmar and South Sudan, to name just a few country-specific situations, millions are seeking protection and the preservation of their livelihoods and basic human dignity. As noted in the Secretary-General's report on the responsibility to protect, the overall trend since 2005 is a tenfold increase in civilian deaths.

Numbers matter, but so do the stories behind the numbers. Behind every death is a genuine human tragedy for an individual, a family and community. Those left behind are left to cope with deep trauma for which no statistics can account. In addition, illegal attacks on civilians, civilian infrastructure, health care and medical and humanitarian personnel and the denial of life-saving humanitarian assistance leave wide-ranging and cumulative scars.

The multilateral and rules-based international order that binds us together requires our sustained support more than ever. Respect for international human rights law and international humanitarian law is essential to safeguarding humankind. If we are to prevent atrocity crimes, we must understand and implement the lessons of the past. We can do far more to prevent conflict, including by building State capacities for early warning, conflict analysis, dispute resolution and mediation. States that invest in inclusivity and cohesion, allow civil society to thrive and welcome civil-society voices benefit from increased stability and diversity. However, there are troubling instances where Member States seek to constrain the voices of civil society, including within the United Nations itself. States with effective, accountable institutions are among the best defenders of human rights.

Canada supports the renewed focus of the United Nations on prevention and champions the values of inclusive and accountable governance, peaceful pluralism, gender equality and human rights. We believe that inclusive national ownership can reduce the stresses that may lead to conflict and can help to build resilience and prevent internal crises from escalating and engulfing countries and regions.

Canada believes that women play an integral role in building a culture of prevention. We are committed to promoting the full, active and equal participation of women in conflict prevention, resolution and post-conflict State-building.

If prevention fails, the response should be a collective one. The Security Council has a specific responsibility to ensure that early warning leads to appropriate responses. There is a humanitarian cost to inaction or to inadequate actions. It is essential that the Security Council come together to take appropriate action when atrocity risks emerge. In that regard, we encourage more regular briefings to the Council by the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect and by the United Nations High Commissioner for Human Rights.

Canada is proud of the leadership role it has played in establishing the International Criminal Court (ICC), which will celebrate its twentieth anniversary in July. Canada remains a strong supporter of and advocate for the ICC and shares the values that it stands for — fighting impunity and ensuring that victims of the most serious international crimes have a path to justice and accountability.

We have a strong normative framework aimed at improving our collective approach and capacity to protect civilians. We remain committed to preventive actions and urge States to uphold their obligations under international human rights, humanitarian and refugee law, which underpin our commitment to the responsibility to protect.

Mr. Sauer (Finland): Finland aligns itself with the statements made earlier by the observer of the European Union and by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99).

We thank the President of the General Assembly and the Secretary-General for their statements today (*ibid.*). Finland welcomes the Secretary-General's recommendations in his report, entitled "Responsibility to protect: from early warning to early action" (A/72/884). As the title suggests, translating early warning into early action is crucial. The responsibility to protect remains central to our common agenda for preventing genocide, ethnic cleansing, war crimes and crimes against humanity. We also thank Australia and Ghana for their leadership in including the responsibility to protect on the agenda of the General Assembly this year.

Earlier this month, the Ministries of Foreign Affairs of Finland and Mexico, in cooperation with the Global Centre for the Responsibility to Protect, hosted the eighth Annual Meeting of the Global Network of R2P Focal Points in Helsinki. The meeting brought together national focal points and other participants from more than 40 countries and international organizations that aim to promote the responsibility to protect and the prevention of mass atrocity at the national, regional and international levels. Among the invited participants was the Special Adviser to the Secretary-General on the Prevention of Genocide, Mr. Adama Dieng.

The Helsinki meeting provided an excellent opportunity for the participants to exchange experiences and best practices on how to integrate responsibility-to-protect considerations into their daily work at the national level and in foreign policy. The meeting highlighted the role of mediation and noted the twentieth anniversary of the Rome Statute of the International Criminal Court (ICC). We believe that it was important in reaffirming that there are still forces that believe strongly in the rule of law and the rules-based international order.

Lastly, Finland remains a staunch supporter of the ICC. We hope that the twentieth anniversary of the Rome Statute will serve to highlight the value and the results of the ICC. The goal of ending impunity for the most serious international crimes is high on the agenda of Finland's foreign policy. We are very much justified in discussing the role of the ICC during today's meeting, since support to the activities of the Court could also act as a deterrent.

Mr. Flynn (Ireland): Ireland welcomes the inclusion of the responsibility to protect on the agenda of the General Assembly. We hope it can evolve into a standing item for future debates.

The World Summit Outcome document of 2005 was a groundbreaking achievement, and since its adoption, the responsibility to protect populations from genocide, war crimes, crimes against humanity and ethnic cleansing has emerged as an important global principle. Paragraphs 138 and 139 of that document effectively outline the three pillars of responsibility, assistance and response. Ireland reaffirms its commitment to those pillars.

The three pillars were never intended to be sequential in their implementation. Rather, they focused on an early and flexible response tailored to individual situations. In particular, misconceptions about the relationship between the third pillar and military intervention must be addressed. From diplomacy, mediation, public advocacy and humanitarian assistance to peacekeeping, sanctions, embargoes and peacebuilding, the broad range of measures available under the third pillar effectively guards against its being equated with military intervention.

Ireland warmly welcomes the Secretary-General's balanced report, entitled "Responsibility to protect: from early warning to early action" (A/72/884). Its focus on strengthening existing capacities, promoting accountability and expanding civilian action provides important guidance on how we might prioritize action in the area of the responsibility to protect. The report also notes that the gap between our words of commitment and the experience of vulnerable populations around the world has grown. Thirteen years after agreeing to the principle of the responsibility to protect, we must now prioritize and meaningfully invest in taking its implementation forward within the United Nations. The report states that the international community has been insufficiently resolute in its implementation and that trends continue to move in the wrong direction.

Given that we are marking the seventieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide this year, we strongly encourage Member States that have not yet ratified or acceded to the Convention to do so as a matter of high priority. We also call on the States Members

of the United Nations to support the Accountability, Coherence and Transparency group's code of conduct regarding Security Council action against genocide, war crimes and crimes against humanity, which has been endorsed by 117 countries, and the French and Mexican declaration on voluntary restraint in the use of the veto by permanent members of the Security Council. Those complementary initiatives are crucial to ensuring that the Security Council acts effectively and consistently when faced with mass atrocity situations.

Ensuring accountability for mass atrocity crimes is one of best ways to prevent their recurrence. Recognizing that States have the primary responsibility to investigate and prosecute crimes committed within their jurisdiction, Ireland fully supports the International Criminal Court, which will celebrate its twentieth anniversary on 17 July. It remains the most important institutional development in the battle to end impunity for genocide, war crimes and crimes against humanity. We also welcome the European Union's appointment of national responsibility-to-protect focal points and encourage other regional organizations and Member States to do likewise and to engage in the excellent work of the Global Network of R2P Focal Points.

Multilateral cooperation is our best chance to avert man-made atrocities. We therefore encourage better use of the United Nations system to bring potential mass atrocity situations to the early attention of the Security Council. As a candidate for the Security Council for the 2021-2022 term, Ireland will seek to ensure that the Council acts to prevent mass atrocities, but it can do so only if alerted to the situations in time. Regular open debates within the Security Council on the responsibility to protect are to be encouraged, as are regular briefings by the Special Advisers of the Secretary-General on the Prevention of Genocide and on the Responsibility to Protect. The Council would also benefit from regular briefings on mass atrocity situations by the United Nations High Commissioner for Human Rights. Such measures can only serve to aid early-warning situations in which populations are at risk of genocide, war crimes, ethnic cleansing and crimes against humanity.

With regard to the link between the Human Rights Council and the Security Council, Geneva-based institutions and mechanisms play an increasingly important role in preventing and responding to mass atrocity crimes. We encourage the informal dialogue that has taken place with a view to improving the use of the universal periodic review in that connection.

Ireland's strong peacekeeping tradition allows us to recognize the importance of United Nations peacekeeping operations as a vehicle for integrating responsibility-to-protect capacities. In line with the Kigali Principles on the Protection of Civilians, peacekeepers need the requisite training and resources to adequately protect civilians. In that context, we encourage the integration of the United Nations Framework of Analysis for Atrocity Crimes into the training of all United Nations peacekeeping staff.

The principle of the responsibility to protect is now widely accepted, yet concerns about its appropriate implementation continue to be debated. While debate is to be encouraged for so critical a concept, it must not be used as an excuse for passivity or inaction. The international community must stand firm against the incorrect application of the responsibility to protect through a broadening of its scope, its selective application or its malicious misapplication for a State's own strategic interests. The responsibility to protect does not lower the threshold for pre-emptive intervention or use of force. However, any ambiguity surrounding the operationalization of the concept must be addressed and agreed on so that it can be effectively implemented.

Ireland is deeply concerned about the worrying trend of the use of forced displacement as a military tactic by State and non-State actors and its disastrous consequences, particularly for minority populations. There is an undeniable connection between the current global crisis of forced displacement and the failure to uphold the responsibility to protect and prevent mass atrocity crimes.

As the Secretary-General states in his report, we have allowed disagreements about the past to foil our unity of purpose in the present. We continue to miss opportunities to save countless lives in situations we could and should have foreseen. Through the proper operationalization of the responsibility to protect, we can make major strides towards preventing instances of mass atrocities and loss of life.

Mr. Gafoor (Singapore): The convening of today's formal debate on the responsibility to protect is a milestone indeed, as it is the first such debate in the General Assembly since 2009. It is our hope that this debate will see an open and frank discussion, as it

presents a unique opportunity for all Member States to put their views on record.

We thank the Secretary-General for his most recent report on the responsibility to protect (A/72/884), which points out that much more must be done by the international community to prevent genocide, war crimes, ethnic cleansing and crimes against humanity, and sets out recommendations on how early warning can be improved. It also outlines a strategy for strengthening early action. I would like to make three points.

First, as the Secretary-General has reiterated in his report, the primary responsibility for the protection of civilian populations from genocide, war crimes, ethnic cleansing and crimes against humanity rests with the State. National Governments cannot abdicate their responsibility to protect their own citizens. Instability and extremism flourish when the needs and aspirations of citizens are not met. Accordingly, human development is key and its link with the Sustainable Development Goals (SDGs) is very important. The onus is on each of us to implement the SDGs, in particular SDG 16, on promoting peaceful and inclusive societies, justice for all and effective, accountable and inclusive institutions. We agree with the Secretary-General that inclusive and sustainable development is the best form of prevention against all kinds of risks, including atrocity crimes.

Secondly, international partnership and support are essential to improving national resilience. The United Nations, regional organizations and civil society must work with one another to support and implement the 2030 Agenda for Sustainable Development and create in each of our countries the necessary institutions and capacities for a resilient and inclusive society. Prevention is certainly better than cure. The priority must be to help countries ensure that the conditions for instability and conflict do not arise. And when they do, the international community must act collectively and in a spirit of solidarity.

That leads me to my third point. The international community must be prepared to take collective action to help address situations where crimes of atrocity have occurred. But to do so, it must act through the United Nations, as was made clear in paragraph 139 of the World Summit Outcome document, which our Heads of State and Government endorsed in 2005. Our leaders committed to taking such collective action through the Security Council, in accordance with the Charter of the United Nations, on a case-by-case basis and in cooperation with relevant regional organizations, as appropriate. In addition, such collective action should be undertaken only if peaceful means have proved to be inadequate and national authorities have manifestly failed to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

Small States such as Singapore look to the Security Council to fulfil its global responsibility to maintain international peace and security. Unfortunately, we have seen the veto used too often in the past to prevent action to address atrocity crimes. We welcome the fact that two of the five permanent members of the Council have supported initiatives to limit the use of the veto in cases of mass atrocities. We call on the other permanent members to take a similar position by stating that they will refrain from using the veto to block Council action aimed at preventing or ending genocide, war crimes and crimes against humanity. Such a collective commitment by the permanent members is essential if we are to signal the resolve of the Council and the international community to support the responsibility-to-protect agenda.

Ultimately, the responsibility to protect should be applied according to universally agreed principles and the Charter, particularly the principle of State sovereignty. The responsibility to protect is not a justification for intervention by external actors in the domestic affairs of sovereign States and should not be used as such. The reality is that deep concerns remain about the use of coercive or military measures against the will of Member States. We must address such concerns by building understanding, trust and confidence in the concept of the responsibility to protect. That can be done through continued dialogue among Member States, which is the reason for Singapore's support of the inclusion of this item on the agenda of the General Assembly.

The concept of the responsibility to protect must not be seen to be imposed by one group of countries on another, and neither should it be applied selectively or in a way that is seen as furthering the political agendas of some States. The primacy of the United Nations system must be maintained in the application of the responsibility to protect, and approval for any intervention must be duly authorized. Application of the responsibility to protect should not lead to unilateral action or be allowed to weaken the multilateral rules-based system. Through continued dialogue here in the General Assembly, we are confident that the

international community can build trust and confidence and advance our collective efforts to prevent and defeat atrocity crimes.

Mr. Radomski (Poland): Let me first note that Poland aligns itself with the statement delivered earlier by the observer of the European Union (see A/72/PV.99).

Poland welcomes with satisfaction today's debate on the responsibility to protect. In 2009 we were a sponsor of the Assembly's resolution 63/308, its first stand-alone resolution on the responsibility to protect, and we declare our readiness to support that important concept wherever possible.

I would like to congratulate Australia and Ghana on their proposal to convene today's meeting and to welcome the Secretary-General's report entitled "Responsibility to protect: from early warning to early action" (A/72/884). There is no doubt that the key to effective preventive measures is early-warning capacity.

I want to focus on three issues that we believe are of crucial importance in today's timely debate: respect for international law, conflict prevention and accountability.

First, the international community should get back to principles. Respect for international law instruments, including the Charter of the United Nations, can be a true preventive factor in stopping mass atrocities. Poland raised that issue during its presidency of the Security Council last month and organized two open debates with the aim of promoting the basic rules of international law. We all had the opportunity to listen to more than 160 statements calling for respect for international law. We should be true to our words and fully comply with the existing set of norms and standards. We cannot shy away from being vocal when laws are broken.

The second issue is conflict prevention. Using the right combination of carefully tailored measures is crucial. Preventive action should be focused on specific regions. Measures are most effective when they are individualized and aimed at specific problems. There is no one-size-fits-all approach. Local ownership is critical, and early action succeeds only if it has the support of those who should benefit from it. Local, community-level engagement must be further integrated into preventive action.

Third is accountability. We must not allow those who commit atrocities to feel they are immune to prosecution. There is no peace without justice. We are morally, politically and legally obliged to comply with existing measures aimed at ending impunity, ensuring accountability and achieving justice for the victims. The Security Council — but also the General Assembly and the Human Rights Council — should continue to consider ways to make better use of existing tools to strengthen accountability for international crimes. We have at our disposal sanctions, arms embargoes, fact-finding missions, independent mechanisms for collecting and storing evidence, commissions of inquiry and justice mechanisms, including international and hybrid courts and tribunals. Everything should be done to ensure that they are used effectively.

In conclusion, I would like to emphasize that we must renew the commitment that our leaders made at the 2005 World Summit in order to help States build their capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and assist those who are under stress before crisis and conflict break out. The responsibility to protect is not an abstract concept. Implementing it means saving the lives of people who have been left without protection or hope. We should do our best to let them lead their lives without suffering.

Mr. Ham Sang Wook (Republic of Korea): At the outset, I would like to thank the President of the General Assembly for convening the first formal meeting of the General Assembly on the responsibility to protect, and to express our appreciation to Australia and Ghana for their leadership in including this topic on the agenda of the General Assembly. I would also like to thank the Secretary-General for his personal commitment and conviction to the principle and to welcome his report, entitled "Responsibility to protect: from early warning to early action" (A/72/884), with its ongoing focus on prevention, which follows that of last year (A/71/1016).

Since world leaders made their commitment to the concept of the responsibility to protect at the historic 2005 World Summit, we have made considerable progress in the area. The Secretary-General has provided Member States with an annual report since 2009 and appointed a Special Adviser on the Responsibility to Protect. For their part, Member States have participated annually in General Assembly informal dialogues on the occasion of the Secretary-General's report and have decided to include the issue of the responsibility to protect on the

Assembly's agenda. Furthermore, 60 Member States have joined the Global Network of R2P Focal Points, while 50 are working together as members of the Group of Friends of the Responsibility to Protect in New York and Geneva. However, while acknowledging the great strides that have been made in past years, we must also recognize that there is still a gap between our desire to protect vulnerable populations and the reality on the ground. We should be alarmed by the details in the report of the Secretary-General, which states that battle-related deaths have increased tenfold since 2005 and the number of people forcibly displaced has reached record levels. In that regard, I would like to highlight three points with regard to the responsibility to protect, while bearing in mind the recommendations outlined in the Secretary-General's report.

First, we must continue to improve existing early-warning mechanisms at the domestic, regional and international levels and strengthen synergies among them to make the prevention of atrocities a practical programme. As the Secretary-General points out in his report, the international community's capacity for early warning and atrocity-crime risk assessment has improved considerably in recent years. There are a variety of useful tools across the United Nations system, regional and subregional arrangements and structures such as the United Nations Framework of Analysis for Atrocity Crimes and the Human Rights Up Front initiative. We must redouble our efforts to improve effective communication and consolidate more systematic approaches to early-warning signs.

Secondly, no matter how effectively early-warning mechanisms work, the responsibility to protect cannot be realized if their results are not followed by early action. The Security Council has a special responsibility for preventing atrocity crimes, mandated by the 2005 World Summit Outcome. In that regard, as a supporter of the Accountability, Coherence and Transparency group's code of conduct regarding Security Council action against genocide, crimes against humanity or war crimes, and of the political declaration by France and Mexico, the Republic of Korea is of the view that the use of the veto should be limited in situations where immediate action is required in response to mass atrocity crimes. We must also make better use of the tools of the United Nations human rights system, such as the Human Rights Council's Universal Periodic Review and special procedures, among others, which can help identify possible risks early on and facilitate relevant action by national Governments as well as the international community.

Thirdly, we must continue our efforts to end impunity and ensure accountability for atrocity crimes in every corner of the world, since strengthening accountability is one of the principal ways to prevent such crimes. It is imperative to ensure that violators of international law are held accountable for their crimes through prosecution in national and international criminal justice systems, including the International Criminal Court. In that regard, I would also like to emphasize that justice mechanisms must strengthen their engagement with civil society, given that it can be a crucial ally in enhancing their ability to gain access to critical information, as well as in strengthening contacts with victims and witnesses.

In conclusion, I would like to take this opportunity to reaffirm the commitment of the Republic of Korea to the responsibility to protect. I look forward to continuing to work with other Member States with a view to helping to protect vulnerable people from acts that the international community as a whole has condemned as the most egregious crimes.

Mr. Yaakob (Malaysia): I want to thank the President of the General Assembly for convening today's plenary meeting, which enables all Member States to deliberate and exchange frank views on the report of the Secretary-General on the responsibility to protect, as contained in document A/72/884.

As the General Assembly agreed last year, the inclusion of the issue of the responsibility to protect on the Assembly's agenda underlines the principled commitment of the United Nations to the prevention of genocide, war crimes, crimes against humanity and ethnic cleansing. According to the Secretary-General's report, the number of people killed in conflicts has risen tenfold since the 2005 World Summit. Such negative trends pose a serious threat to international peace and security, as situations involving atrocity crimes can generate lasting instability both within and across borders. My delegation shares the Secretary-General's view that it is important for us to continue building a world based on the rule of law with strong multilateral institutions, which can protect its people from genocide, war crimes, ethnic cleansing and crimes against humanity. My delegation also joins other Member States in acknowledging the noble intentions of the concept of the responsibility to protect, which

are to ensure that the unspeakable tragedies that have occurred and are currently occurring in various parts of the world will never recur.

Malaysia has been closely following the deliberations on the issue of the responsibility to protect and the follow-up dialogue sessions since the World Summit in 2005. My delegation notes that a divergence of opinions continues to persist among Member States on the concept, understanding and implementation of the responsibility to protect, especially with regard to State sovereignty and an international mandate to act. Malaysia sincerely hopes that we can quickly resolve that disagreement in order to respond effectively to atrocities and prevent more genocides.

Malaysia believes that non-military solutions should always be the first option, because military interventions can only cause further human catastrophe. We will continue to support the use of various non-military measures in efforts to respond to and prevent the escalation of atrocity crimes, including mediation, monitoring, observer and fact-finding missions, commissions of inquiry and public advocacy by international officials.

Nevertheless, in addressing atrocity crimes committed by non-State armed groups, we acknowledge the emergence of new challenges, particularly those related to the impact of new technologies. Some modifications in the preventive and protective strategies of all stakeholders may be required in that regard, and Malaysia stands ready to work closely with other Member States, regional organizations and civil society in addressing, anticipating, preventing and responding to such emerging threats and challenges. My delegation notes that the international community's capacity for early warning and assessment of atrocity-crime risks has significantly improved over the past few years. Malaysia also sees merit in the three strategies outlined in the Secretary-General's report for strengthening early action and early warning, which include reviewing and strengthening existing preventive capacities, promoting accountability and innovating by expanding civilian action for atrocity prevention.

In that context, my delegation supports the idea that prevention must become the rule rather than the exception. The Security Council, the General Assembly, the Human Rights Council, the Peacebuilding Commission and regional and subregional organizations can all enhance their contributions to the prevention of atrocity crimes by demonstrating a greater willingness to consider and respond to the earliest signs of risk. In that respect, we join others in calling for restraint in the use of the veto in the Security Council, especially in cases of atrocity crimes. For practical reasons, Malaysia is of the view that the exercise of the veto should be regulated so as to enable the international community to act promptly to save innocent people from brutal atrocities.

In principle, Malaysia welcomes the noble intentions that the responsibility to protect is intended to accomplish. Nevertheless, we want to reiterate that it requires continued, in-depth discussions to enable the international community to clearly define its understanding, applications, implementation and effects on States on both the international and internal fronts. Only through all Member States' complete understanding and systematic application of the responsibility to protect do we believe that we can truly accept it as an international norm. To that end, Malaysia stands ready to work closely with the United Nations and its Member States in developing options to strengthen civilian action to prevent atrocity crimes.

Mr. Skinner-Kleé Arenales (Guatemala) (*spoke in Spanish*): We are grateful for the convening of this plenary meeting to address the responsibility to protect, a topic of special importance. It is taking place in a international context fraught with controversy that demands that we strengthen the humanitarian and international security norm conceived during the 2005 World Summit with a view to preventing the worst kinds of war crimes, ethnic cleansing and crimes against humanity.

In the twentieth century, we witnessed the degeneration of animosity and extreme nationalism into cruel and degrading treatment during the two great international conflagrations, resulting in frightful and brutal crimes against entire populations, all based on the common denominators of hatred and intolerance. With time, the international community, represented in the United Nations, has codified an international system that prioritizes human rights law, international law and international humanitarian law. The Assembly has acknowledged that every State, as a society organized on the basis of laws, bears the primary responsibility for protecting its population and preventing atrocities such as those we have witnessed in the past. That underscores the genesis and relevance of the responsibility to protect through its fulfilment today, a precept that is supported

through the fundamental purpose of the Charter of the United Nations, which is both preventing the scourge of war and promoting peace among peoples and nations.

From our perspective, the responsibility to protect is a norm that fully corresponds to our constitutional principles, as the State of Guatemala was established and founded to protect individuals and families, and its supreme purpose is achieving the common good. In the year that marks the seventieth anniversary of the Universal Declaration of Human Rights, the responsibility to protect must be recognized as an exemplary way to protect and defend populations from mass atrocities. It must therefore be strengthened, especially with the advent of new hotspots, where we are unfortunately seeing similar patterns that in the worst cases involve new crimes against humanity and ethnic cleansing. In such instances, the Security Council must act urgently and make effective use of its methods of work and strategies to prevent further acts of genocide or crimes against humanity, in accordance with its primary responsibility for maintaining international peace and security. In that regard, my delegation is proud to be part of the code of conduct initiative of the Accountability, Coherence and Transparency group, aimed at preventing the use of the veto in the Security Council in cases of genocide and crimes against humanity, and we urge other States to join in supporting it.

We therefore reiterate our call for upholding international obligations under international law, human rights law and refugee law, since protecting the civilian population is an intrinsic part of them. In that regard, Guatemala prides itself as a contributing country to United Nations peacekeeping in support of the protection of civilians. We affirm that the principle of the responsibility to protect is complemented by the concept of sustainable peace, which prioritizes respect for human rights, all based on a preventive approach with a view to avoiding hostile confrontations.

Speaking in our national capacity, we would like to say how pleased we are that the responsibility to protect is on the agenda of the General Assembly at its seventy-second session, underscoring our political will to see the issue discussed here. Accordingly, we support the inclusion of this item on the General Assembly's permanent agenda, as a logical forum in which to discuss its implementation as an exemplary mechanism for protecting civilian populations from atrocities and assuring them of their enjoyment of their human rights.

In conclusion, and based on our own experience, we would like to take this opportunity to express our rejection of and revulsion at practices that, while they may not constitute genocide or crimes against humanity, are certainly related to disrespect for basic human rights, specifically the human rights of highly vulnerable people such as migrant families and their young children. We have watched dumbfounded in the past few weeks as families and children have been inhumanely and perversely separated from their parents, a practice that has traumatic consequences for children, leaving them in a situation of extreme vulnerability and at risk for severe psychological and emotional damage, with total disregard for their inalienable rights as human beings. We call for an end to such practices, which recall inhumane episodes of the past.

Mrs. Okey-Uche (Nigeria): I thank the President of the General Assembly and the Secretary-General for their important statements (see A/72/PV.99), and Australia and Ghana for seeing to it that the responsibility to protect is taking its rightful place on the agenda today. I also want to thank the Secretary-General for his report (A/72/884) entitled "Responsibility to protect: from early warning to early action". Indeed, early warning and early action could save the world from many of the disasters we are currently experiencing. We therefore agree with the recommendations in the report and encourage everyone to see that they are implemented.

It has been nine years since the last — and first — formal General Assembly debate on the responsibility to protect in 2009 (see A/63/PV.97 to A/63/PV.101). My delegation believes that the time is indeed ripe to reaffirm our support for the commitments we made at the 2005 World Summit with regard to the responsibility to protect. With particular reference to paragraphs 138 and 139 of the 2005 World Summit Outcome document (resolution 60/1), Nigeria would like to take this opportunity to call for the full implementation of all three pillars of the norm by reviewing and strengthening existing preventive capacities where necessary, continuing to encourage and promote accountability for atrocity prevention, and innovating by expanding civilian action for atrocity prevention and drawing on all available resources to meet the pressing challenges.

The disturbing trend of mass atrocity crimes has continued around the world, and it requires that we work together at the national, regional and global levels to halt the problem. We must get to the root of all the issues ravaging our peoples, most especially civilians,

who are too often targeted. Some of the challenges identified are weak structures and institutions, which should be addressed. In that regard, we must enhance multilateral cooperation in order to strengthen States' capacities to deal with threats posed by violent conflicts and crimes against humanity.

We urge the Security Council to make even greater use of its situational-awareness briefings and the Arria Formula mechanism, and to invite more briefers in order to achieve greater effectiveness in preventing mass atrocities through early warning and early action. Furthermore, by strengthening cooperation with the Human Rights Council, the Security Council could achieve even greater gains in areas where populations are at risk of genocide, war crimes, ethnic cleansing or crimes against humanity. Nigeria also believes that it is important to note the hard work of the Secretary-General's Special Advisers on the Prevention of Genocide and the Responsibility to Protect and to commend their efforts so far. We also want to take this opportunity to urge all Member States to uphold their obligations under international human rights, humanitarian and refugee law, which underpin the commitment to the responsibility to protect. In that regard, we encourage Member States that have not yet ratified or acceded to the Convention on the Prevention and Punishment of the Crime of Genocide to do so without further delay.

Another important area is the need for stronger judicial institutions within States and cooperation between States. Nigeria is a signatory to the Rome Statute of the International Criminal Court, which, incidentally, will celebrate its twentieth anniversary on 17 July and remains an undeniably important body in the battle to end impunity for genocide, war crimes and crimes against humanity.

We are also pleased to note that eight of the current 14 United Nations peacekeeping operations have protection-of-civilian mandates, and that the responsibility to protect has been referenced directly in a number of those mandates by the Security Council, including in the Central African Republic, the Democratic Republic of Congo and South Sudan.

Another terrible source of harm to civilians in conflict has been the proliferation of small arms and light weapons, as the Security Council has recognized in its resolutions 2274 (2016), 2283 (2016), 2296 (2016) and 2313 (2016). Every region of the world has suffered from the proliferation of small arms and light weapons, particularly Africa. We must make use of international instruments such as the Arms Trade Treaty, as they can contribute greatly to protecting civilians and preventing mass atrocities. The proliferation of small arms and light weapons has helped fuel the terrorist activities of Boko Haram in the north-east of Nigeria. Though it has been seriously decimated, Boko Haram, through its lone-wolf attacks, is still a challenge that we are dealing with.

Nigeria condemns the growing number of deliberate attacks on civilians, humanitarian workers, journalists and peacekeepers across the world, which have occurred everywhere, in markets, hospitals and schools. In that regard, and as a demonstration of our commitment to the cause and in line with the Secretary-General's earlier recommendations, Nigeria has appointed a national focal point for the responsibility to protect and set up a presidential committee on small arms and light weapons to tackle the issue of their proliferation. The Nigerian Army has also set up a human rights desk to ensure that military operations respect their rules of engagement. Furthermore, the Nigerian Government has taken major steps to enhance security at camps for internally displaced people in order to reduce their vulnerability and promote their eventual safe return to their homes and reintegration into society.

Nigeria has also gone far with demining activities, the removal of improvised explosive devices and the provision of military escorts for humanitarian workers. In order to further forestall situations that could lead to mass atrocity crimes, we have set up a presidential initiative for the north-east. It is a comprehensive recovery blueprint that integrates all actors and actions in a coordinated set of activities aimed at north-eastern Nigeria's rapid recovery from the havoc caused by the Boko Haram insurgents. The Nigerian Government has also launched a safe schools initiative to provide safe education in conflict-affected areas of the north-east and has endorsed the Safe Schools Declaration, under which we are committed to implementing the guidelines for protecting schools and universities from military use during armed conflict. Narratives that support violence are also being countered in schools, with ongoing efforts to deradicalize convicted or repentant terrorists by deploying emergency teams of psychosocial counsellors and health professionals. Work is also being done with the communities affected through various economic revitalization programmes

aimed at the people most affected by terrorism and violent extremism.

In conclusion, we all have a responsibility to protect one another, which is why we are united as nations. Our hope is that we will collectively identify implementable strategies that can effectively prevent atrocities and protect populations around the world. We believe we are on the right track.

Mr. Gad (Egypt) (*spoke in Arabic*): I would like to thank you, Mr. President, and the Secretariat for organizing this meeting. I would also like to express our appreciation to the Secretary-General for his report (A/72/884) on the responsibility to protect and on the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity. I would l e to address the following points with regard to the subject of today's meeting.

The delegation of Egypt reaffirms that the basic responsibility for protecting nations from grave crimes falls to Member States, and that the national and international work to prevent those crimes must be based on supporting national efforts to expose and prevent such crimes by national law-enforcement bodies in conflict and post-conflict situations. The implementation of the concept of the responsibility to protect is a basic responsibility of States. It is important to ensure respect for the principles of international law, particularly those of the sovereignty and equality of States. In that regard, I would like to emphasize that the role of the international community should be limited to a complementary one helping States to fulfil their commitments. International interventions should be an exceptional measure of last resort, and should be conducted in full compliance with the Charter of the United Nations. We also stress the importance of ensuring that the concept is not allowed to expand during implementation.

Egypt would like to emphasize the importance of respecting the hierarchy of the implementation of the norm's pillars. We cannot move from one pillar to another until the possibilities of the first have been completely exhausted. The first pillar is Member States' inherent responsibility for protecting their civilians from severe violations. The second consists in the effort to use all possible diplomatic, humanitarian and other peaceful ways to protect people from atrocities before seeking the international community's assistance in adopting a collective position that accords with the Charter of the United Nations, including Chapter VII. In that regard, we would like to reaffirm that as far as the responsibility to protect is concerned, any international strategy must have the broad support of Member States in order to exclude any doubts about the impartiality of those strategies or the possibility that they could be seen as a way to interfere in a State's internal affairs. We must therefore avoid relying on initiatives or strategies that do not enjoy consensus and that have been developed outside intergovernmental frameworks, including the Human Rights Up Front initiative and the Framework of Analysis for Atrocity Crimes.

While we agree with the noble objectives on which the concept of the responsibility to protect is based, and remain committed to the 2005 World Summit Outcome document (resolution 60/1), including paragraphs 138 and 139, the problem is the concept's ambiguity. Its essence is still an expanded political concept, and it is not yet a specifically designated legal concept, so that the scope of its applicability is not yet defined. Considering those basic political and legal gaps in the concept of the responsibility to protect, we believe we still need more time for dialogue and discussions in order to respond to the concerns of all Member States and address those gaps. We should establish a clear perception that enjoys consensus. We cannot possibly begin to develop a mechanism for implementing the responsibility to protect before we have a clear and specific definition of the concept itself. In that respect, and in line with our belief in the importance of a dialogue on this issue, Egypt has participated constructively and positively in the meetings of the relevant informal interactive dialogue of the General Assembly.

In conclusion, it is clear from all of this that we still have a lot of work to do in order to clarify this concept and ensure that it complies with the Charter of the United Nations and the principles of international law. We believe that this clarification is essential if we are to include the responsibility to protect as an item on the agenda of the General Assembly. We therefore oppose its inclusion on the agenda without developing and agreeing on a specific definition. In that respect, we hope to continue the informal interactive dialogue in order to close the legal and political gaps with regard to the concept before including it on the agenda of the General Assembly or taking any steps towards its implementation.

Mr. Pecsteen de Buytswerve (Belgium) (*spoke in French*): Belgium associates itself with the statement

made by the observer of the European Union, as well as that made by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99). I would now like to make a few comments in my national capacity.

Belgium welcomes the holding of this formal debate on the responsibility to protect, the first in almost 10 years. During the 2005 World Summit, all Heads of State and Government of Member States agreed to protect their peoples from the crime of genocide, war crimes, ethnic cleansing and crimes against humanity. They also decided to take action in order to uphold that responsibility. At a time when the victims of mass atrocities continue to number in the thousands, it is more than ever our duty not to forget those commitments. This meeting and our discussions today are certainly a step in that direction. In 2005, our representatives also stressed that the General Assembly should continue to consider the responsibility to protect and its implications. I would also like to take this opportunity to sincerely thank Australia and Ghana for proposing almost a year ago now that this item be included on the Assembly's agenda during the current session.

We are obviously aware of the differences in approach to the practical implementation of the responsibility to protect. That pertains in particular the second and third pillars of the concept, which are an integral part of the commitments we have made. However, it is precisely the fact that the approaches differ that should encourage us to maintain a continuing dialogue on the subject. That is why Belgium fully supports the proposal already made by other delegations that the issue of the responsibility to protect be included as a permanent item on the agenda of the Assembly.

I would like to welcome the Secretary-General's latest report on the responsibility to protect (A/72/884). The emphasis on prevention and the primary responsibility of States for protecting people from atrocity crimes is paramount. State sovereignty is not an obstacle to the responsibility to protect. On the contrary, they are two mutually reinforcing concepts.

As the Secretary-General underscored in his report, the United Nations system already has many tools at its disposal to identify early-warning signs of situations that could lead to atrocity crimes. I am thinking in particular of the special procedures established by the Human Rights Council, but also of the Office on Genocide Prevention and the Responsibility to Protect. Early-warning systems could include, for example, regular meetings at which the Special Advisers of the Secretary-General on the Prevention of Genocide and the Responsibility to Protect could present the information they collect to the Security Council and other relevant United Nations bodies and make recommendations for concrete action. In any case, the role of the Special Adviser on the Responsibility to Protect is crucial, which is why Belgium urges the Secretary-General to appoint a successor as soon as possible to Mr. Šimonović, whose outstanding work we commend.

While essential, prevention is unfortunately not enough. In that regard, I would again refer to the 2005 World Summit Outcome document (resolution 60/1). The World Summit participants stated at the time that when States are unable to fulfil their responsibility to protect their people or when a country's national authorities have clearly failed to protect their people, the international community must take action. More specifically, at the Summit the Member States highlighted the role that the Security Council could play in certain cases. In that regard, Belgium believes that the Council should ensure that the protection of civilians is given priority in the mandates of peacekeeping operations. In the same spirit, the aspects related to the rule of law in the mandates of political and peacekeeping missions should also be strengthened and systematized, taking into account the specific situations of each mission.

Combating impunity must also be a priority. That responsibility falls first and foremost to each State. It means that they have an obligation to prosecute the perpetrators of the most serious crimes, wherever they may be, in order to ensure that they do not escape justice. States that have not yet ratified the most recent version of the Rome Statute of the International Criminal Court should do so. However, the Security Council must also strengthen its support to national judicial procedures and hybrid mechanisms, as well as the International Criminal Court, particularly with regard to the situations it has referred to it. In view of the Council's failure to act, we also welcome the role played by the General Assembly in creating the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. Finally, when mass atrocities occur, the Security Council must not allow disagreements among its permanent members

to result in inaction. Its credibility as a key actor in maintaining international peace and security is at stake. That is why Belgium supports the initiative of France and Mexico to regulate the right of the veto in the event of atrocity crimes, and why we also support the code of conduct of the Accountability, Coherence and Transparency group.

In conclusion, the commitments we made in 2005 with regard to the responsibility to protect are ambitious. In the past few years, the annual reports of the Secretary-General, several General Assembly and Security Council resolutions, the work of the Special Advisers on the Prevention of Genocide and the Responsibility to Protect, the tools and instruments developed at the national and regional levels and the activities of many civil-society organizations have all contributed to a better understanding of how we can implement that responsibility. It is time to begin a new chapter and take action so that we can avoid continually mourning new tragedies.

The Acting President: The representative of India has asked to speak in exercise of the right of reply. I would like to remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and five minutes for the second, and should be made by delegations from their seats.

Mr. Bayyapu (India): While we are having this serious debate for the first time in a decade on an issue that is important to all of us, we have seen one delegation yet again misuse this platform to make an unwarranted reference to the situation in the Indian state of Jammu and Kashmir. Such cynical attempts have failed in the past and have no support in this body.

I would like to place it on record and reiterate that the state of Jammu and Kashmir is an integral and inalienable part of India. No amount of empty rhetoric from Pakistan will change that reality.

The Acting President: We will hear the remaining speakers in the debate on Tuesday, 2 July at 10 a.m. in the Trusteeship Council Chamber.

The meeting rose at 6.15 p.m.